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Casey Hagopian ag

Attorney Docket No. 39238-0753

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application)

PATENT APPLICATION

Inventor(s): Roger Stern et al.)

Art Unit: 3739

Application No.: 10/072,475)

Examiner: Peffley, Michael F

Filed: February 6, 2002)

Title Handpiece For Treatment of Tissue)

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MAR 16 2004

TECHNOLOGY CENTER R3700

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Mailstop:

Commissioner For Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Listed below on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, along with a concise explanation of information in a foreign language, if any, except for pending U.S. applications is attached pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. The Examiner is requested to initial and return the PTO-1449 in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

- ☐ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):
- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)
-- OR --
 - ☐ (2) It is being filed within 3 months of entry of a national stage
-- OR --
 - ☐ (3) It is being filed before the mail date of the first Office Action on the merits
-- OR --
 - ☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- ☒ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:
- ☐ a certification as specified in §1.97(e) is provided below; or
 - ☒ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:
- A. a certification as specified in §1.97(e) is completed below; and
 - B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; and
 - C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☒ **Fee Authorization.** The Commissioner is hereby authorized to charge the above-referenced fees of \$ 0.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 08-1641 (Docket No. 39238-0753).

Respectfully submitted,

HELLER EHRMAN WHITE & MCAULIFFE LLP

Dated: 3/10/04

By: Paul Davis

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INFORMATION DISCLOSURE CITATION PTO-1449			ATTY. DOCKET NO. 39238-0753		SERIAL NO. 10/072,475	
			APPLICANT Stem et al.			
			FILING DATE 02/06/2002		GROUP 3739	
U.S. PATENT DOCUMENTS						
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	5,217,455	06/08/93	Tan	606	9	RECEIVED MAR 16 2004 TECHNOLOGY CENTER R3700
	5,249,192	09/28/93	Kuizenga et al.	372	23	
	5,290,273	03/01/94	Tan	606	3	
	5,360,447	11/01/94	Koop	623	15	
	5,522,813	06/04/96	Trelles	606	2	
	5,527,350	06/18/96	Grove et al.	607	89	
	5,531,739	07/02/96	Trelles	606	2.5	
	5,558,667	09/24/96	Yarborough et al.	606	9	
	5,578,029	11/26/96	Trelles et al.	606	25	
	5,599,342	02/04/97	Hsia et al.	606	9	
	5,746,735	05/05/98	Furumoto et al.	606	9	
	5,743,901	04/28/98	Grove et al.	606	9	
	5,749,868	05/12/98	Furumoto	606	9	
	5,754,573	05/19/98	Yarborough et al.	372	22	
	5,810,801	09/22/98	Anderson et al.	606	9	
	5,814,040	09/29/98	Nelson et al.	606	9	
	5,843,072	12/01/98	Furumoto et al.	606	9	
	5,843,078	12/01/98	Sharkey	606	41	
	5,871,479	02/16/99	Furumoto et al.	606	9	
	5,911,718	06/15/99	Yarborough et al.	606	9	
	5,979,454	11/9/99	Anvari et al.	128	898	
	5,983,900	11/16/99	Clement et al.	128	898	
EXAMINER			DATE CONSIDERED			

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



INFORMATION DISCLOSURE CITATION			ATTY. DOCKET NO.		SERIAL NO.		
PTO-1449			39238-0753		10/072,475		
			APPLICANT Stern et al.				
			FILING DATE 02/06/2002		GROUP 3739		
U.S. PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
	6,045,548	04/04/00	Furumoto et al.	606	9		
	6,077,294	06/20/00	Cho et al.	607	89		
	6,171,301	01/09/01	Nelson et al.	606	9		
	6,228,075	05/08/01	Furumoto	606	9		
	6,240,925	06/05/01	McMillan et al.	128	898		
	6,248,103	06/19/01	Tannenbaum et al.	606	9		
	6,273,883	08/14/01	Furumoto	606	9		
	6,383,176	05/07/02	Connors et al.	606	9		
	6,387,089	05/14/02	Kreindel et al.	606	9		
	6,436,094	08/20/02	Reuter	606	9		
	2002/0016587	02/07/02	Furumoto	606	7		
	2002/0035360	03/21/02	Connors et al.	606	9		
	2002/0049433	04/25/02	Furumoto et al.	606	9		
	2002/0111605	0815/02	Furumoto et al.	606	3		
FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 97/37602	10/16/97	PCT	A61B	17/41		
	WO 98/33558	08/06/98	PCT	A61N	5/06		
	WO 00/44297	08/03/00	PCT	A61B	18/20		
	WO 00/54685	09/21/00	PCT	A61B	18/20		
	WO 00/54686	09/21/00	PCT	A61B	18/20		
	WO 02/076318	10/03/02	PCT	A61B	18/18		
	WO 02/064209	08/22/02	PCT	A61N	5/06		
EXAMINER			DATE CONSIDERED				

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.